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**REMARKS**

Claims 1-31 were examined. Upon entry of the present amendment, claims 1, 9, 17 and 24 are amended to more particularly claim Applicant's invention. No new matter is added. Applicant hereby requests further examination and reconsideration of the application in view of the following remarks.

Claims 7, 15, 23 and 30 are objected to because the Patent Office believed the use of slash marks ("/") in the phrases "Association/Electronics" and "TIA/EIA-136" made the claim indefinite. Applicant respectfully disagrees. Claims 7, 15, 23 and 30 recite that the second air interface comprises an air interface complying with a specific air interface standard formally identified in the art as the "Tele-communications Industry Association/Electronics Industry Alliance Interim Standard 136 (TIA/EIA-136) air interface standard." Consequently, use of slash marks in these claims does not render the claims indefinite.

Claims 1, 3, 5, 8-9, 11, 13-14, 16-17, 19-21, 24, 26-29 and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Souissi (U.S. Patent No. 6,785,556) in view of Lai et al. (U.S. Pub. No. 2002/0086702). Claims 2, 10 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Souissi in view of Lim (U.S. Patent No. 6,697,355). Claims 4, 12 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Souissi in view of Schenker et al. (U.S. Patent No. 6,633,223).

Claims 6 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Souissi in view of Verma et al. (U.S. Pub No. 2003/00224792). Claims 7, 15, 23 and 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Souissi in view of Whinnett et al. (U.S. Patent No. 5,943,333). Applicant has amended independent claims 1, 9, 17 and 24 to more particularly claim the invention. Applicant further traverses the rejections of claims 1-31 for at least the following reasons.

Independent claims 1, 9, 17 and 24 more particularly recite that the first protocol stack and the second protocol stack are supported concurrently by at least one chipset within the mobile telephone. None of the cited references disclose, teach or suggest a mobile telephone or a system for controlling a mobile telephone comprising a mode manager for managing switching of the system between a first mode utilizing a first air

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interface standard supported by a first protocol stack and a second mode utilizing a second air interface standard supported by a second protocol stack, the first protocol stack and the second protocol stack being supported concurrently by at least one chipset of the mobile telephone; a user interface for communicating information and commands between the first and second protocol stacks and a user for controlling the mobile telephone; and an application layer for reducing functional interface between the first and second protocol stacks to layers of the first and second protocol stacks subsequent to the user interface, wherein control of the mobile telephone is provided via a single man machine interface that is substantially consistent across the first and second modes as variously claimed in independent claims 1, 9, 17 and 24. Instead, the primary reference Souissi discloses a software configurable wireless modem that can be configured using software downloaded by a host computer. The software downloaded may include any one of various protocol stacks which may then be run by the modem. However, the wireless modem supports only one protocol stack at a time. Specifically, Souissi provides that

the host computer CPU downloads from a storage unit *the appropriate protocol stack*, and installs *it* in the modem with the help of the modem's CPU.

Souissi, column 7, lines 52-54 (emphasis added). Thus, Souissi fails to teach or suggest a mode manager for managing switching of the system between a first mode utilizing a first air interface standard supported by a first protocol stack and a second mode utilizing a second air interface standard supported by a second protocol stack wherein the first protocol stack and the second protocol stack are supported concurrently by at least one chipset of the mobile telephone. Further, the displays disclosed by Souissi are only used to allow the user to automatically reconfigure the software configurable modem (FIGS. 9 and 10). The displays are not used by the user of the wireless modem to control operation the protocol stacks after the software is loaded. Specifically, Souissi discloses:

FIG. 9 illustrates a display of a wireless PDA showing several icons from which a user can select to automatically reconfigure the software configurable modem. FIG. 10 illustrates a display of a computer, such as a laptop, showing a menu from which a user can choose to automatically reconfigure the modem.

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Souissi, column 7, line 64 through column 8, line 2. Thus, Souissi also fails to teach or suggest a user interface for communicating information and commands between concurrently supported first and second protocol stacks and the user for controlling the mobile telephone. Additionally, Souissi discloses that when a new protocol stack is downloaded and installed, the software supported by that protocol stack is also replaced. In particular, Souissi provides that

[u]pon receiving the request at step 830, the host computer CPU downloads from a storage unit the appropriate protocol stack, and installs it in the modem with the help of the modem's CPU; downloads from the storage unit the DSP code and configures the baseband DSP chip with the help of the modem's CPU; and downloads from the storage unit software to configure the wireless modem RF front end hardware, including software for the direct conversion stage and software for the amplifier, and sends this software to the modem CPU to reconfigure the RF front end.

Souissi, Column 7, lines 51-61. Further, only one protocol stack is supported at a time. Thus, the Souissi wireless modem does not require an application layer for reducing functional interface between the first and second protocol stacks to layers of the first and second protocol stacks subsequent to the user interface. Consequently, Souissi fails to teach or suggest such an application layer. Finally, Souissi does not describe a man machine interface for the wireless modem that is used when the modem is operational. Thus, Souissi does not teach or suggest a system where control of a mobile telephone is provided via a single man machine interface that is substantially consistent across the first and second modes.

With respect to claims 3, 11, 19 and 26, Souissi fails to teach or suggest a mode manager that comprises a man machine interface manager for translating information between the first air interface mode and the second air interface mode wherein the first protocol stack supporting the first air interface and the second protocol stack supporting the second air interface are supported concurrently by one or more chipsets of the mobile telephone.

With respect to claims 5 and 21, Souissi fails to teach or suggest a common database for storage of user data utilized by the first and second protocol stacks, wherein

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the first and second protocol stacks are supported concurrently by one or more chipsets of the mobile telephone.

With respect to claims 8, 16, 24 and 31, Souissi fails to teach or suggest that the user interface, application layer, and mode manager are integrated with the first protocol stack of concurrently supported first and second protocol stacks.

The ancillary reference, Lai et al., fails to make up for these defects in the teaching of the Souissi reference since it also fails to disclose, teach or suggest a mode manager for managing switching of the system between a first mode utilizing a first air interface standard supported by a first protocol stack and a second mode utilizing a second air interface standard supported by a second protocol stack, the first protocol stack and the second protocol stack being supported concurrently by at least one chipset of the mobile telephone; a user interface for communicating information and commands between the first and second protocol stacks and a user for controlling the mobile telephone; and an application layer for reducing functional interface between the first and second protocol stacks to layers of the first and second protocol stacks subsequent to the user interface, wherein control of the mobile telephone is provided via a single man machine interface that is substantially consistent across the first and second modes as variously claimed in claims 1, 9, 17 and 24 and their dependent claims. Lai et al. is relied upon only for its teaching of a PDA having a mobile telephone function. Moreover, there exists no suggestion or motivation from these references, or the prior art in general, to modify the references' teachings to provide this limitation.

Claims 2, 10 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Souissi in view of Lim (U.S. Patent No. 6, 697,355). As noted by the Patent Office, Souissi fails to teach or suggest a router for routing information to one of the first protocol stack and the second protocol stack. Instead, Lim is relied up for this teaching. However, Lim discloses a router for routing information between the protocol stacks of two separate devices over a network. Specifically, Lim discloses:

FIG. 5 shows a radio packet data protocol stack used during communication between two mobile hosts according to the present invention. Particularly, the mobile router of the caller opens the radio link protocol (RLP) and the mobile

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router of the receiver opens the RLP. Afterwards, the PPP, the network layer and the upper layers are opened allowing communication between two mobile stations within the same network.

Lim, column 7, lines 52-60. Consequently, Lim also fails to teach or suggest a router for routing information to one of the first protocol stack and the second protocol stack, wherein the first and second protocol stacks are supported concurrently by one or more chipsets of the mobile telephone. Moreover, there exists no suggestion or motivation from these references, or the prior art in general, to modify the teaching of Souissi or Lim to provide this limitation.

Claims 4, 12 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Souissi in view of Schenker et al. (U.S. Patent No. 6,633,223). As noted by the Patent Office, Souissi fails to teach or suggest a bridge for providing communication of information between the first protocol stack and the second protocol stack. Instead, Schenker et al. is relied upon for this teaching. However, Schenker et al. discloses a system employing bridge architecture for communication between different devices in a network. Specifically, Schenker et al. provides that the

[b]ridge architecture for communication with access points may employ PC cards, adapters, NDIS, ODI drivers, terminal emulation and standard protocol stacks.

Schenker et al., column 11, lines 61-63. Consequently, Schenker et al. also fails to teach or suggest a bridge for providing communication of information between the first protocol stack and the second protocol stack wherein the first and second protocol stacks are supported concurrently by one or more chipsets of the mobile telephone. Moreover, there exists no suggestion or motivation from these references, or the prior art in general, to modify the teaching of Souissi or Schenker et al. to provide this limitation.

Claims 6 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Souissi in view of Verma et al. (U.S. Pub No. 2003/00224792). As noted by the Patent Office, Souissi fails to teach or suggest a call database for storing call related data by the first and second protocol stacks. Instead, Verma et al. is relied upon for this teaching. However, Verma et al. fails to teach or suggest a call database for storing call related data

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by the first and second protocol stacks which are supported concurrently by one or more chipsets of the mobile telephone. Further, there exists no suggestion or motivation from these references, or the prior art in general, to modify the teaching of Souissi or Verma et al. to provide this limitation.

Claims 7, 15, 23 and 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Souissi in view of Whinnett et al. (U.S. Patent No. 5,943,333).

Claims 7, 15, 23 and 30 depend from independent claims 1, 9, 17 and 24, respectively, and are believed to be allowable for the reasons argued above.

Accordingly, claims 1-31 are believed to be patentable over the cited references for at least the above reasons. Withdrawal of the rejections of claims 1-31 under 35 U.S.C. § 103 and 35 U.S.C. § 112 is therefore requested.

### CONCLUSION

Applicant has made an earnest attempt to place this application in condition for allowance. For at least the foregoing reasons, Applicants respectfully request reconsideration and full allowance of all pending claims.

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